



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Baker Field Office
3165 10th Street
Baker City, Oregon 97814
<http://www.or.blm.gov/Vale/>

IN REPLY REFER TO:

June 19, 2001

2821
OR 56205

Dear Reader:

An Environmental Assessment and proposed Finding of No Significant Impact have been prepared for the continued use and expansion of a quarry site in Baker County. The location is on a hilltop above Pleasant Valley, about 12 miles southeast of Baker City. The site is on land owned by the Oregon Department of Transportation, however, the mineral rights are held by the United States and administered by the Bureau of Land Management.

A public comment period is now in effect until July 21, 2001. To be considered in final decision making, comments must be filed by that date with the Field Manager, Bureau of Land Management, 3165 10th Street, Baker City, Oregon 97814.

If you have any questions about this project, please contact Steve Davidson at 541-523-1349.

Sincerely,

s/Ted Davis

Ted Davis, Acting
Field Manager

**FINDING OF NO SIGNIFICANT IMPACT
ENVIRONMENTAL ASSESSMENT #OR-035-01-04**

The attached Environmental Assessment (EA) contains a description of the proposed action, an analysis of expected impacts on land and resources, and mitigating measures to reduce those impacts.

I have evaluated the effects of the proposed action, together with the proposed mitigating measures, against the tests of significance found at 40 CFR 1508.27. I have determined that:

1. The proposed action would cause no significant impacts, either beneficial or adverse. All impacts would be minor; many would be of short duration.
2. The proposed action would have no effect on public health or safety.
3. The proposed action would not affect unique characteristics of the geographic area.
4. The proposed action would have no controversial effects.
5. The proposed action would have no uncertain effects and would not involve unique or unknown risks.
6. The proposed action is a routine and common project and does not establish a precedent for future actions.
7. The proposed action is not related to any other action being considered by BLM.
8. The proposed action would have no effect to any property listed on or eligible for listing on the National Register of Historic Places.
9. The proposed action would not adversely affect an endangered or threatened species, or any habitat critical to an endangered or threatened species.
10. The proposed action does not violate any law or requirement imposed for the protection of the environment.

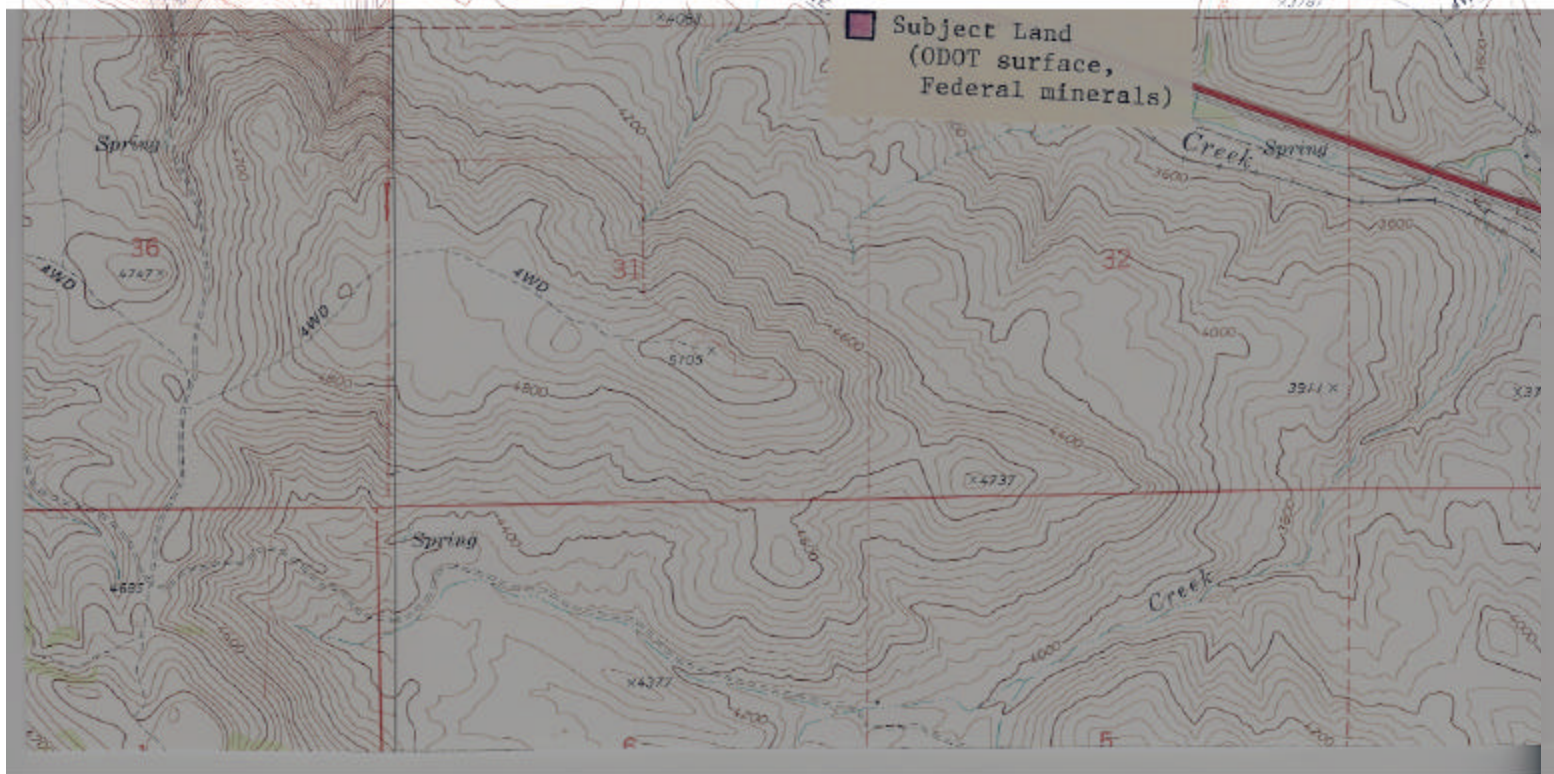
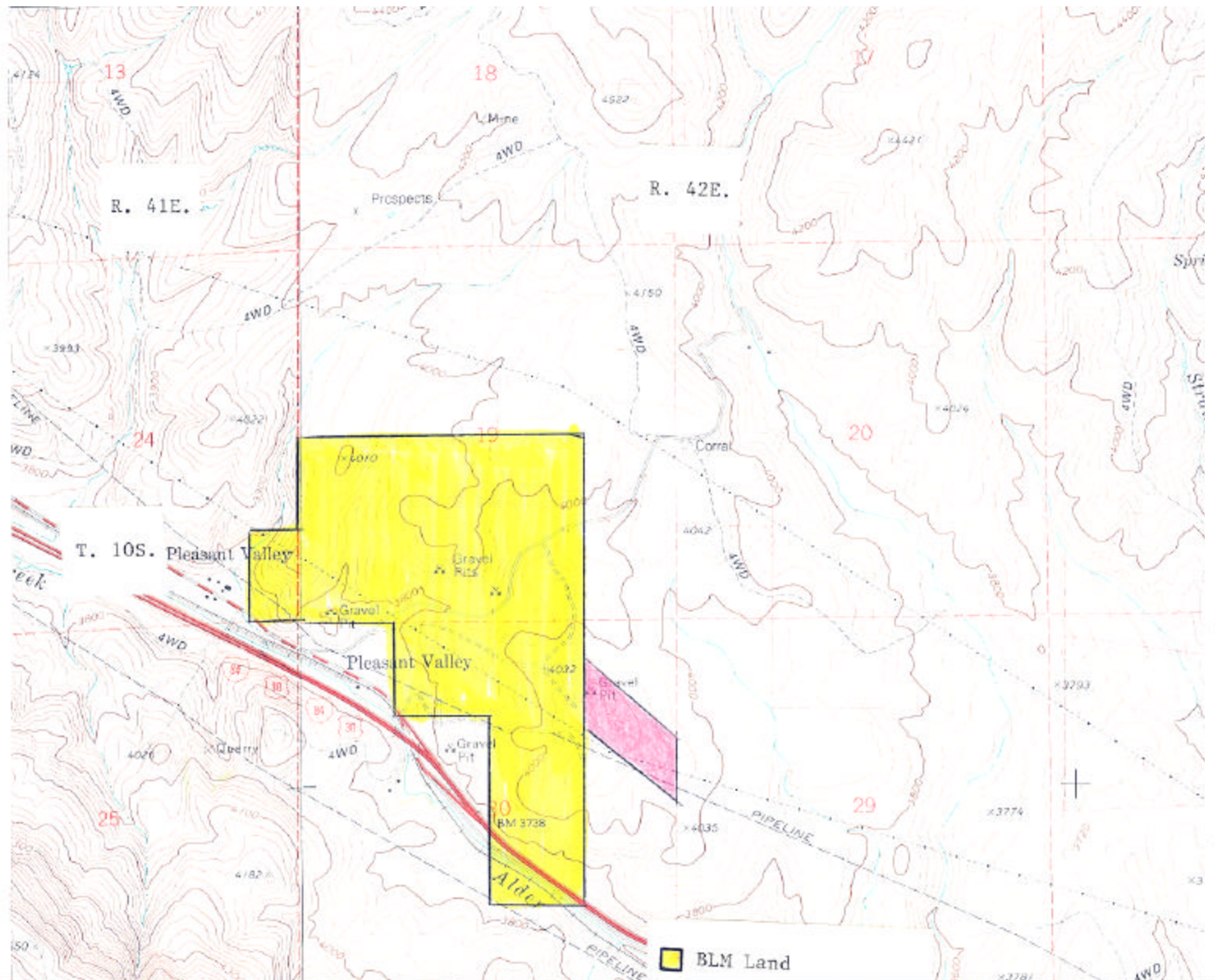
Therefore, I have determined that the proposed action, with the proposed mitigating measures, would not have any significant impacts on the human environment, and that an Environmental Impact Statement is not required.

S/Penelope Dunn Woods

July 27, 2001

Field Manager

Date



OPTIONAL ENVIRONMENTAL ASSESSMENT FORM	
ENVIRONMENTAL ASSESSMENT NUMBER : OR-035-01-04	
BLM Office: Baker Resource Area	Lease/Serial/Case File No. OR 56205
Proposed Action Title/Type: Pleasant Valley Quarry, Permit Continued Use	
Location of Proposed Action: WM, T. 10S., R. 42E., section 30 E 1/2NE1/4	
Applicant (if any): Federal Highway Administration (FHWA)	
Conformance With Applicable Land Use Plan:	
This proposed action is subject to the following land use plan:	
Name of Plan: Baker Resource Management Plan (RMP) Date Approved: 7/12/89	
This plan has been reviewed to determine if the proposed action conforms to the land use plan terms and conditions as required by 43 CFR 1610.5.	
Remarks: The site is within the Baker County Geographic Unit of Baker RMP. The resource objective is to maintain availability of lands for mineral material production consistent with watershed and other resource objectives (page 119 of Baker RMP). Baker County has zoned the land EFU (exclusive farm use) and permits the use of the quarry.	
Need for Proposed Action: The Federal Highway Administration (FHWA) is appropriating about 28.3 acres of federally held mineral rights administered by the Bureau of Land Management (BLM). The site includes an existing quarry, known as the Pleasant Valley Quarry, occupying a portion of the above acreage. Patent to the area that includes the Pleasant Valley Quarry was issued in 1925 with the US retaining mineral rights. Subsequently the Oregon Department of Transportation (ODOT) bought a portion of the patent area and developed a material source for highway use. However, the United States continues to hold the mineral rights, administered by the Bureau of Land Management. The decision to be made is whether the BLM agrees to the FHWA's appropriation of the mineral rights to the Pleasant Valley Quarry and the rest of the subject site. The FHWA would then allow ODOT to continue using the quarry material for federal and other highway projects provided for in Chapter 2, 23 U. S. C.	

General Setting: The Pleasant Valley Quarry is located on a hilltop above and partially within view of I-84 at approximately MP 320 between Baker City and Ontario. The vegetative community in the general area consists of sagebrush and bluebunch wheatgrass on the south and east segments and sagebrush and Idaho fescue on the north part. Soils are shallow aeolian silts. (*Ref attached map & general location map.*)

The area, near Interstate 84/Union Pacific Railroad corridor, is in a relatively unpopulated area. Pleasant Valley, about 7 mile north of the site, is a small cluster of two trailer houses and a small former motel that is on US 30. With the construction of I-84, US 30 and Pleasant Valley were bypassed. Access to I-84 from US 30 and Pleasant Valley is several miles north of Pleasant Valley. One ranch/residence (Wayne Troy) is located west of the site across the I-84/RR corridor from the site. A Baker County road (Hixon Road) borders the north side of the site. Several small private quarries are north of the site - these are primarily small seasonal operations where decorative rock is extracted. There are no buildings or development associated with these small operations. The remainder of the area around the site is primarily treeless pasture area.

Description of Proposed Action: The Proposed Action is the appropriation of about 28.3 acres of federally held minerals under ODOT owned surface. ODOT would continue to use the mineral aggregate within the existing footprint of the quarry and expand it as needed within the site. Haul roads within the site may be developed as necessary to access new portions of the quarry. Access to and from the site would be by existing haul roads. One haul road running generally west connects the quarry to the county road and passes through two existing material site rights-of-way (NWNE and NENW of section 30). Another haul road with right-of-way runs north from the quarry to the county road, through SWSE section 19.

The anticipated quarry operation will be much the same as other standard quarry operations. There are no buildings or improvements planned. The normal sequence is to drill/blast to loosen the rock, then crush the rock and stockpile it, then use 10 cubic yard capacity dump trucks to haul the rock from the quarry to the project need site. The quarry operation is primarily during the start of the construction season, March through May, depending on weather. Specific permits are obtained by the ODOT contractor to operate at the site.

Alternatives: BLM would not concur with appropriation of mineral rights. ODOT would discontinue use, and would reclaim the quarry according to the Department of Geology and Mineral Industries (DOGAMI) permit held by ODOT. ODOT would develop an adjacent material source it owns utilizing the existing road system or a new road system; or a new quarry site would need to be obtained and developed.

Environmental Impacts:

Critical Element	Affected		Critical Element	Affected	
	Yes	No		Yes	No

Air Quality		X	T & E Plants		X
ACECs		X	Tribal Concerns & Treaty Rights		X
Cultural Resources		X	Wastes, Hazardous/Solid		X
Environmental Justice		X	Water Quality		X
Farmlands, Prime/Unique		X	Wetlands/Riparian Zones		X
Floodplains		X	Wild & Scenic Rivers		X
T & E Animals		X	Wilderness		X
T & E Fish		X			

Description of Impacts:

General: The Oregon Department of Geology and Mineral Industries (DOGAMI) currently carries a valid permit (DOGAMI ID # 01-0028) since 1975 for this site. Contact with Ben Mundie, Office of Reclamation of Surface Mined Land in the Albany DOGMAI office advises that they have no outstanding concerns regarding this site.

Air Quality: Air quality in the immediately area could be affected by the proposed project, due to dust raised by blasting, excavation, truck traffic and other quarry operations. The dust should be highly localized, short-term and intermittent and would quickly clear up when the activity ceases. The location of the site and prevailing weather patterns are conducive to atmospheric mixing to promote dissipation. There would be no long term effects in the general area.

Fisheries: There are no water bodies or streams on the quarry site. Alder Creek is located off site; however, very little drainage leaves the site and reaches the creek. Most water runoff is seasonal and results in subsurface infiltration before reaching Alder Creek. Discussions with the ODFW fish biologist at La Grande confirmed that there are no particular fish impact concerns anticipated from this quarry operation.

Wildlife: Impacts from the proposed action would be minimal to wildlife species. There are no known listed or proposed threatened or endangered wildlife species or habitat associated with these species within the project area. The site is generally disturbed, with limited vegetation and poor habitat. A local rancher has a grazing permit for a larger fenced encompassing area that includes this site (East Pleasant Valley #2121).

Cultural Resources: An ODOT Archaeologist conducted an archeological survey of the overall area. Much of the area is already disturbed. The entire area was walked in parallel, with 15 meter spaced east/west transects. No cultural material was observed. Records on file at the Oregon State Historic Preservation Office (SHPO) show two sites have been identified in the general project

area, but both are well outside of the quarry area. (Ref 13 May 99, Archaeological Survey Report by H. Gard, ODOT)

Tribal Concerns: No specific issues were identified as a result of a letter sent to the Confederated Tribes of the Umatilla Indian Reservation.

Range Resources: The project site is located and fenced within the East Pleasant Valley Allotment #02121 currently permitted to Troy Ranch Estate. Continued use of the quarry would not impact permitted use, but could damage the grazing allotment boundary fence, if care is not taken. Some livestock forage would be destroyed as the pit is expanded, however this would not affect the permitted use as the forage on the ODOT surface lands is not included in the grazing permit. The quarry activity could have the effect of pushing stock out of the immediate area and toward the north and west portions of the allotment. As forage is removed on the ODOT lands, it would increase the use on forage elsewhere in the allotment, but the overall effect should be insignificant. Discussions with the rancher with the grazing permit confirmed he had no particular concerns and does not feel the operation will be a problem for him.

Noxious Weeds: Leafy spurge, diffuse knapweed, and Scotch thistle are known to exist in the general area. General ground disturbance in the area could increase the spread of weed species.

Visual Resources: The project area is rated Class III visual quality. In this class, activities may attract attention but should not dominate the view of the casual observer. This would be the case for the Pleasant Valley Quarry. Travelers on I-84, especially those descending from the Encina summit into Pleasant Valley from the northwest, would briefly see the site. The site is also visible from the lightly traveled, dead-end county road, Hixon Road #872.

Minerals: The mineral material (rock) on the site would be excavated and removed as a result of the proposed project.

Other Land Uses, Rights, Facilities: The land use is zoned EFU (exclusive farm use). Baker County permits the quarry activity.

A haul road running generally west connects the quarry to the county road. It passes through two existing material site rights-of-way (NWNE and NENW of section 30). Another haul road with right-of-way runs north from the quarry to the county road, through SWSE section 19. It is anticipated that a one-way route using both roads will be implemented when the quarry is in operation.

Facilities in the area include a pipeline and powerline. Both of these are located south and west of the quarry between the site and I-84. The west running haul road passes under the power line close to the county road. Idaho Power Co owns the power line, and Northwest Pipeline owns the pipeline. Operations at the quarry would not disturb the rights-of-way of the pipe and power lines.

A mining claim is located on the north side of Hixon Road about 1/2 mile northwest of the subject site. There could be some minor intermittent effects on access to the claim by the increased traffic on Hixon Road to and from the site. The activity at this mining claim is very infrequent.

Socio-Economic: This quarry is the primary rock source in the general region. Use of this quarry would prevent long, costly hauls from other areas. Permitting continued use of the quarry would

allow materials for road projects to be available without the development of a new site with additional environmental and economic impacts. Construction and maintenance of roads are economically important to the region and to those who benefit from the state and federal transportation systems.

Cumulative Impacts: Cumulative impacts are those that result from the incremental consequences of an action when added to other past and reasonably foreseeable future projects or actions. There have been no other recent additional projects in the area, nor are there any known planned that would add any adverse environmental impacts resulting from this quarry operation.

Impacts of No Action Alternative: The above impacts would not occur within the subject site. The primary impact anticipated is if this quarry could not be used, then a new quarry would have to be developed, or very long hauls (energy consumption, transportation costs, etc) would be required.

Description of Mitigation Measures and Residual Impacts:

The Oregon Department of Transportation would conduct the following mitigation measures:

Erosion control measures would be used, as needed, particularly the Best Management Practices that have been developed in coordination with the regulatory agencies for all ODOT soil disturbance projects. Operations will be in compliance with the Erosion Control Plan (ECP) for the site operation.

ODOT archaeologists would conduct further cultural resource surveys if needed as the existing footprint is expanded.

If archeological resources are discovered during operations, standard mitigation procedures will be followed to ensure their identification, evaluation, and disposition. Work will cease immediately at the site of discovery to avoid further damages to the resources at the site. The Federal Highway Administration (FHWA), State Historic Preservation Office (SHPO) and the Oregon State Museum of Anthropology (OSMA) at the University of Oregon at Eugene will be notified. If warranted, an on-site meeting will be held with the SHPO, FHWA, the Department of Interior and other local authorities. Based on consultation with these agencies, determination of what steps should be taken to recover any significant data, including development of a data recovery plan would be taken. Operation can resume at the site when appropriate mitigation has been completed.

If a human burial is found, the SHPO and OSMA will be contacted. The OSMA will identify the remains as Native American or non-Native American. If Native American, it will be reported to the officials at the Commission on Indian Services in Salem for determination of the appropriate Native American tribe. The appropriate tribal organization (probably the Umatillas in this case) will be contacted for reinterment actions. If non-Native American, it will be reported to the Baker County Sheriff's office. Any necessary reinterment provisions will be completed prior to resumption of operations at the site.

ODOT will conduct periodic monitoring of the site and treat weeds, as necessary, to control the invasion and spread of noxious weeds.

Any inadvertent damage to the livestock fence will be repaired as quickly as feasible.

Standard soil reclamation and recontouring of the surface will be accomplished as quarry operations are terminated in specific areas.

If blasting is scheduled, contact with Northwest Pipeline and Idaho Power would be made. As a precaution, some seismic studies could be done relative to the pipeline and the above surface power lines could be temporarily lowered to the surface. Based on discussions with the company, no impacts are anticipated that cannot be mitigated depending on the operation. For example, blasting pads, reduced charges, etc are common practices and used if needed.

Residual impacts would be as described above and minimized by the application of the mitigating measures.

Public and Agency Contact: A concerted effort was made to contact adjacent landowners, utility companies, tribes, and local, state, and federal regulatory agencies to inform them and determine if there were any concerns with this proposed action. No significant concerns were expressed. The following is a list of the primary contacts made for this proposal.

Persons/Agencies Consulted:

Grant Young, Baker County Planning Department

Clair Button, Botanist, Bureau of Land Management

Mike Woods, Natural Resource Specialist, Bureau of Land Management

Mary Oman, Cultural Resources, Bureau of Land Management

Steve Davidson, Realty Specialist, Bureau of Land Management

Greg Miller, Wildlife Biologist, Bureau of Land Management

Jackie Dougan, Fish Biologist, Bureau of Land Management

Dick Alexander, Utilities Specialist, Region 5, Oregon Department of Transportation

Rick Fredrickson, Geologist, Region 5, Oregon Department of Transportation

Hal Gard, Archaeologist, Oregon Department of Transportation

Chuck Howe, Environmental Coordinator, Region 5, Oregon Department of Transportation

Ben Mundie, Reclamationist, Albany, Oregon Dept of Geology & Mineral Industries

Confederated Tribes of the Umatilla Indian Reservation

Wayne Troy, Pleasant Valley (541-523-3072) Troy Ranch Estate, permittee, East Pleasant Valley Allotment #02121

Dan Sullivan, Northwest Pipeline, Baker (541-523-4688)

Rick Huff, Northwest Pipeline (Williams Gas Line), Salt Lake City, (801-584-6407)

Art Martin, ODFW, Portland, (503-657-2000)

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Brad Lovatt, ODFW, LaGrande, (541-963-2138)

Tom Wicher, Idaho Power, (208-388-2987)

Robert Kiggins, Property Management, Right of Way, Oregon Department of Transportation

Supporting Documents:

Archaeological Survey Report, 13 May 1999, H. Gard, ODOT

Interagency Agreement, BLM & FHWA, 3 pages, July 1982

Code of Federal Regulations, Title 43 Public Lands, Chapter II, BLM, Part 3600,
Mineral Materials Disposal.

Preparer(s): s/Norm Rauscher

Date: 3/26/2001

Norm Rauscher, Senior Project Manager
Environmental Services, ODOT

BLM Environmental Coordinator: s/Ted Davis

Date: 6/13/2001

Attachments:

-Project Location Maps

DECISION RECORD
Pleasant Valley Quarry
Material Site Right-of-Way OR 56205

Recommendation

I recommend that the Bureau of Land Management agree to the appropriation of certain mineral rights by the U.S. Department of Transportation - Federal Highway Administration (FHWA). The appropriated rights will involve about 28.3 acres and be located within the following described lands:

WM, T. 10S., R. 42E., sec. 30, E½NE¼.

This agreement should be in the form of the attached "Letter of Consent" which states the conditions under which agreement is given. This agreement should be made pursuant to the Interagency Agreement between the Bureau of Land Management and the Federal Highway Administration, under the authority of Section 307 of the Federal Land Policy and Management Act of 1976, 43 USC 1737, and the Act of August 27, 1958, as amended, 23 USC, Sections 107(d) and 317.

Rationale

The recommended action will allow the Oregon Department of Transportation (ODOT) to continue to use and expand an existing quarry, per a materials source easement deed or similar arrangement with FHWA. The quarry has been in existence for many years. The mineral material (rock) that is excavated will be used on highway maintenance and construction projects in the area. The environmental assessment prepared for the project indicates only minimal impacts would occur.

ODOT owns the surface estate of the subject land.

The action is consistent with the Baker RMP, approved July 12, 1989. The action will not cause undue and unnecessary impacts on resources and will not unreasonably interfere with uses of adjoining public lands or private lands. It will not affect access to public lands.

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S/ Steve Davidson

July 27, 2001

Realty Specialist

Date

Decision

The recommendation and its rationale are adopted as my decision.

S/Penelope Dunn Woods

July 27, 2001

Area Manager

Date

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OR 56205

Request has been received for the appropriation of mineral rights held by the United States within the State of Oregon for the purpose of issuing a right-of-way use document to the Oregon Department of Transportation for the use and expansion of a material source, pursuant to U.S.C. TITLE 23: Highways, Section 317 and Section 107(d).

The area requested lies in the:

WM, T. 10S., R. 42E., section 30, E½NE¼

as shown on the map titled Pleasant Valley Material Source, File No. 6008078, and referenced to DRG. No. 1R-5-193, included in the attached Environmental Assessment No. OR-035-01-04.

And as also shown on attached map Exhibit A.

In accordance with the provision of the Interagency Agreement between the Bureau of Land Management (BLM) and the Federal Highway Administration (FHWA), the BLM agrees to the appropriation and transfer of the above described mineral rights for the foregoing purpose subject to the following conditions, stipulations for which must be included in the right-of-way use document issued to the Oregon Department of Transportation, agreed upon by the State, and enforced by the FHWA:

1. If outstanding valid claims exist on the date of this use authorization, the State agency shall obtain such permission as may be necessary on account of any such claims.
2. The use right herein authorized shall terminate 10 years, or sooner if agreed upon, from the date of execution of the transfer document by FHWA to the State in the event use of the material site has not been initiated during such period.
3. Consistent with safety standards, the State agency shall:

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- a. Protect and preserve soil and vegetative cover and scenic and esthetics values on the right-of-way outside of quarry limits.
 - b. Provide for the prevention and control of soil erosion within the right-of-way and adjacent lands that might be affected by the operation of the quarry.
 - c. Implement all mitigation measures identified in Environmental Assessment No. OR-035-01-04 (pages 5 and 6) prepared by Oregon Department of Transportation (copy attached).
4. Application of chemicals shall be pursuant to the National Environmental Policy Act and shall be approved by FHWA prior to application by the State.
5. The provision of Title VI of the Civil Rights Act of 1964 (78 Stat. 242) shall be complied with.

Sincerely,

Penelope Dunn Woods
Field Manager

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